



U.S. Department
of Transportation

Research and
Special Programs
Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

NOV 2 2004

DOT-E 7835
(TWENTY-FIFTH REVISION)

EXPIRATION DATE: October 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Products and Chemicals, Inc. (APCI)
Allentown, PA

(See Appendix A to this exemption for a list of additional
grantee)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of DOT Specification cylinders, multi-unit tank car tanks and UN1A1 drums containing Division 2.1, 2.2, 2.3, 5.1, 4.3 and Class 3 and 8 materials on the same motor vehicle, subject to the limitations and special requirements specified herein. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 177.848(d) in that this section applies to materials transported in cylinders and multi-unit tank car tanks, and the marking requirement in § 172.301(c).
5. BASIS: This exemption is based on the application of Air Products and Chemicals, Inc. dated October 21, 2004, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR §. 172.101):

This exemption only authorizes the transportation of the following list of hazard classes and divisions.

<u>Hazard Class/Division</u>	<u>Packing Group</u>
2.1	NA
2.2	NA
2.3 (Hazard Zones A & B)	NA
3	I, II, III
4.3	I, II, III
5.1	I, II, III
8	I, II, III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are DOT Specification cylinders, multi-unit tank car tanks (class 106A or 110A) or UN1A1 drums that are authorized in 49 CFR, Part 173 and DOT Exemption 6543 for the specific hazardous material. Trailers and trucks used for transporting hazardous materials under this exemption must be in compliance with the following:

(1) Trailers and trucks of an open bed type with steel side rails, having adequate strength for securing cylinders in an upright position. Vehicles may be equipped with canvas covers to protect against inclement weather. The top and side of the cover must be equipped with at least three 8" X 8" minimum nylon mesh vents providing ventilation equivalent to that shown on APCI's drawing No. IGDSK 4697A dated 6-30-81 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA); or

(2) Trailers approximately 45 feet long with an enclosed portion not more than 20 feet long and the remainder being open bed type with steel side rails, having adequate strength for securing cylinders in the upright position; or

(3) Enclosed trailers to a maximum length of 53 feet. The sides, front, rear, and roof of trailers must be equipped with inlet and outlet vent openings with a minimum total area of one square foot per 1,000 cubic feet of trailer volume. The vents must provide ventilation at least equivalent to that shown on APCI's drawing No. 700876A on file with OHMEA. Electrical systems within the trailer's interior must be designed such that they will not be a source of ignition. Trailer bulkheads and sides must be constructed to secure cylinders in accordance with Paragraph 7.b of this exemption.

b. Each group of cylinders must be transported as follows:

(1) In vehicles secured in an upright position with securement assemblies equal in strength to one and one-half times the weight of each group of cylinders. A minimum of two securement assemblies must be used on each group of cylinders. Securement assemblies:

(i) must be constructed with three-fourth inch webbing and ratchet buckle equipped with chain and grab hooks, with a minimum break strength of 10,000 pounds, or

(ii) must be all metal chain and binder units rated at 16,200 pounds.

(iii) must not be employed when they do not adequately secure small cylinders. For this condition, small cylinders must be packed in wooden or fiberboard boxes and then secured against movement during transportation.

(2) In pallets designed to transport 3500 pounds per pallet. The cylinders will be secured within the pallet by a webbing strap rated at 10,000 pounds.

c. Cylinders and tank car tanks containing Division 2.3 hazard Zone A materials must be stowed at least 10 feet away from cylinders or UN1A1 drums containing materials in Division 2.1, 5.1, 4.3, Class 3 or Class 8. The maximum gross weight of Division 2.3 Hazard Zone A materials carried on one vehicle must not exceed 8,000 pounds.

d. Drivers and persons who load and unload the containers shipped under this exemption must be trained in the handling and loading of all types of compressed gases.

e. Hazardous materials carried in the enclosed part of trailers authorized by paragraph 7a(2), or in trailers authorized by paragraph 7a(3) of this exemption must be loaded in compliance with § 177.848(e)(3).

8. SPECIAL PROVISIONS:

a. The names of motor carriers, other than private carriers and Jack B. Kelly, Inc., must be on file with the OHMEA. Motor carriers operating under the terms of this exemption must have a "satisfactory" safety rating as prescribed in 49 CFR Part 385.

b. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

c. Shipping papers must contain an entry, "DOT-E 7835 Special Stowage Authorized." The markings requirements of § 172.301.(c) are waived.

d. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

e. Shippers using the packaging covered by this exemption must comply with the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

11. **COMPLIANCE:** Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

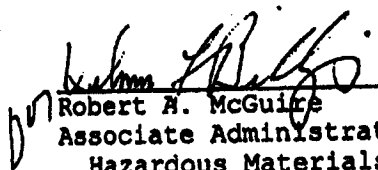
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. **REPORTING REQUIREMENTS:** The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

NOV 2 2004

(DATE)

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Associate Administrator for Hazardous Materials Safety, Research
and Special Programs Administration, Department of
Transportation, Washington, D.C. 20590.
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the
Hazardous Materials Safety Homepage at
<http://hazmat.dot.gov/exemptions> Photo reproductions and legible
reductions of this exemption are permitted. Any alteration of
this exemption is prohibited.

PO: sln

JAN 6 2005

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
ABCO Welding & Industrial Supply, Inc. Waterford, CT	Dec 1, 2004	Dec 10, 2004	Oct 31, 2006
Aeriform Corporation Houston, TX	Oct 26, 2004	Nov 9, 2004	Oct 31, 2006
AGA Gas, Inc. Independence, OH	Oct 1, 2004	Oct 19, 2004	Oct 31, 2006
Air Liquide America L.P. (Former Grantee: Air Liquide America Corporation) Houston, TX	Nov 18, 2004	Dec 10, 2004	Oct 31, 2006
Air Products and Chemicals, Inc. Allentown, PA	Feb 14, 2003	Mar 06, 2003	Jan 31, 2005
Airgas, Inc. Cheyenne, WY	Oct 1, 2004	Oct 19, 2004	Oct 31, 2006
BOC Gases Murray Hill, NJ	Nov 9, 2004	Nov 18, 2004	Oct 31, 2006
C & W Environmental, LLC Cheektowaga, NY	Feb 21, 2003	Mar 13, 2003	Jan 31, 2005
Con-Way Now, Inc. Ann Arbor, MI	Jan 13, 2004	Feb 18, 2004	Jan 31, 2005
Disposal Consultant Services, Inc. Hillsborough, NJ	Oct 28, 2003	Dec 12, 2003	Jan 31, 2005
Environmental Products & Services, Inc. Syracuse, NY	Feb 05, 2003	Feb 24, 2003	Jan 31, 2005
General Air Service & Supply Company Denver, CO	Oct 26, 2004	Nov 9, 2004	Oct 31, 2006

Company Name City/State	Application Date	Issue Date	Expiration Date
Heritage Transport, LLC Indianapolis, IN	Oct 6, 2004	Nov 2, 2004	Oct 31, 2006
Linde Gas, LLC (Former Grantee: AGA Gas, Inc.) Independence, OH	Oct 15, 2004	Nov 2, 2004	Oct 31, 2006
Logistics Express, Inc., dba LOGEX Orange, CA	Dec 28, 2004	JAN 6 2005	Oct 31, 2006
Matheson Tri Gas Inc. East Rutherford, NJ	Nov 3, 2004	Nov 18, 2004	Oct 31, 2006
Messer Griesheim Industries, Inc. Malvern, PA	Feb 25, 2003	Mar 31, 2003	Jan 31, 2005
Mountain Electronic Gases Colorado Springs, CO	Nov 16, 2004	Dec 2, 2004	Oct 31, 2006
National Welders Supply Company, Inc. Charlotte, NC	Dec 16, 2004	Dec 21, 2004	Oct 31, 2006
Oxygen Service Company, Inc. Orange, CA	Nov 15, 2004	Dec 10, 2004	Oct 31, 2006
Philip Reclamation Services Houston, Inc. Houston, TX	Mar 07, 2003	Apr 03, 2003	Jan 31, 2005
Praxair Distribution Inc. Danbury, CT	Mar 27, 2003	Apr 03, 2003	Jan 31, 2005
Praxair, Inc. Danbury, CT	Mar 27, 2003	Apr 03, 2003	Jan 31, 2005

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Roberts Oxygen Company, Inc. Rockville, MD	Nov 16, 2004	Dec 10, 2004	Oct 31, 2006
Scott Specialty Gases, Inc. Plumsteadville, PA	Nov 29, 2004	Dec 10, 2004	Oct 31, 2006
SET Environmental, Inc. Wheeling, IL	Dec 21, 2004	JAN 6 2005	Oct 31, 2006
Smith Systems Transportation, Inc. Scottsbluff, NE	Dec 2, 2004	Dec 21, 2004	Oct 31, 2006
TERRIS LLC Scottsbluff, NE	Feb 4, 2004	Mar 9, 2004	Jan 31, 2005
21 st Century Environmental Management, Inc. of RI Providence, RI	Nov 29, 2004	Dec 10, 2004	Oct 31, 2006
Republic Environmental Systems (Transportation Group), Inc. Hatfield, PA	Nov 9, 2004	Dec 2, 2004	Oct 31, 2006
Rinchem Company, Inc. Albuquerque, NM	Sept 3, 2004	Sep 21, 2004	Jan 31, 2005
Smith Systems Transportation Inc Scottsbluff, NE	Feb 4, 2004	Apr 20, 2004	Jan 31, 2005

Robert A. McGuire

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety